

Congress of the United States

Washington, DC 20515

The Honorable James Mendrick
Sheriff, DuPage County
501 N. County Farm Road
Wheaton, IL 60187

Dear Sheriff Mendrick:

We write to express significant concern with your statement on January 13, 2023, indicating that you will not enforce the recently passed H.B. 5471, the Protect Illinois Communities Act. This legislation bans the sale and distribution of assault weapons, high-capacity magazines, and switches that allow handguns to fire rounds automatically, it also requires owners of banned weapons to register them with the Illinois State Police.

As Sheriff, you do not have the authority to set enforcement priorities based on your personal views of a law's constitutionality. Moreover, by choosing not to enforce the law, you will put the safety of DuPage residents and law enforcement officers at risk. To that end, we request that you immediately rescind your January 13, 2023, statement and clarify that you will uphold your office's mission statement, including your duty to "enforce the laws of the State of Illinois and the county of DuPage in a fair and impartial manner."¹ It is clear that your statement was misguided and erroneous due to the widespread condemnation from DuPage County residents, several county board members, and state legislators.²

We survive as a nation of laws and maintain the consent of the governed only to the degree that the public trusts that those laws will be equally and consistently enforced. Your assertion that the law enforcement officers under your command will not enforce laws passed by the State of Illinois at your sole discretion will lead to public distrust of the police, putting the safety of police officers and the general public at risk.

The United States has more guns per capita and more gun-related deaths per capita than any other developed nation.³ We also have the highest rate of mass shootings, commonly committed with the type of assault weapons that were recently banned under Illinois state law.⁴ This phenomenon also exists at the state level. The states with the highest rates of gun ownership also have the highest rate of gun-related deaths, including homicides and suicide.⁵

A decision to maintain access to high-capacity weapons, like the one used in the July 4, 2022, Highland Park massacre, is a decision to put police and civilian lives at needless, avoidable risk.

¹ <https://www.dupagesheriff.org/missionStatement>

² <https://www.dailyherald.com/news/20230117/retract-or-resign-county-board-members-assail-dupage-sheriff-over-weapons-ban-remarks>

³ <https://www.pewresearch.org/fact-tank/2022/02/03/what-the-data-says-about-gun-deaths-in-the-u-s/>

⁴ <https://www.usatoday.com/story/news/nation/2022/07/12/mass-shootings-weapons-legal-what-to-know/7814081001/>

⁵ <https://www.nytimes.com/2022/05/26/briefing/guns-america-shooting-deaths.html>

Considering these concerns, we request your responses to the following questions by Friday, February 3, 2023:

1. Do you assert that you have the authority as the Sheriff of DuPage County to selectively disregard state laws that you, in your judgment, believe to be unconstitutional? If so, please clarify where that authority resides.
2. Have you, in your capacity as Sheriff, ever previously opined that a state law was unconstitutional and directed your department not to enforce that law? If so, please provide details.
3. Your department is funded and directed by the DuPage County Board. On October 25, 2022, that board voted unanimously in support of a statewide ban on assault weapons and high-capacity magazines.⁶ Did you consult with any member of the board before issuing your January 13, 2023, statement? Please provide details of any pertinent communications.

Public trust in our institutions depends, in part, on the principle that laws, once passed, will apply equally to all. The Protect Illinois Communities Act was passed with a focus of protecting Illinoisans across the state, regardless of geographical location. We look forward to your timely response to this letter.

Sincerely,



Sean Casten
Member of Congress



Delia Ramirez
Member of Congress



Raja Krishnamoorthi
Member of Congress



Mike Quigley
Member of Congress



Jesús G. "Chuy" García
Member of Congress



Bill Foster
Member of Congress

⁶ <https://www.dupagecounty.gov/Content.aspx?id=67104>